

109TH CONGRESS
2D SESSION

S. 2782

To establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 10, 2006

Mr. TALENT (for himself, Mr. HARKIN, Mr. BOND, and Mr. LUGAR) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Institute of
5 Food and Agriculture Act of 2006”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the task force established under section
2 7404 of the Farm Security and Rural Investment
3 Act of 2002 (7 U.S.C. 3101 note; 116 Stat. 457)—

4 (A) conducted an exhaustive review of agri-
5 cultural research in the United States; and

6 (B) evaluated the merits of establishing 1
7 or more national institutes focused on dis-
8 ciplines important to the progress of food and
9 agricultural science;

10 (2) according to findings and recommendations
11 provided to Congress by the task force—

12 (A) agriculture in the United States faces
13 critical challenges, including impending crises in
14 the food, agricultural, and natural resource sys-
15 tems of the United States;

16 (B) exotic diseases and pests threaten
17 crops and livestock;

18 (C) obesity has reached epidemic propor-
19 tions;

20 (D) agriculturally-related environmental
21 degradation is a serious problem for the United
22 States and other parts of the world;

23 (E) certain animal diseases threaten
24 human health; and

1 (F) agricultural producers in the United
2 States of several primary crops are no longer
3 the world's lowest-cost producers;

4 (3) to meet those critical challenges, it is essen-
5 tial that the United States ensure that the agricul-
6 tural innovation that has been so successful in the
7 past continues in the future;

8 (4) agricultural innovation has resulted in hy-
9 brid and higher-yielding varieties of basic crops and
10 enhanced the global food supply by increasing yields
11 on existing acres;

12 (5) since 1960, the global population has tri-
13 pled, but there has been no net increase in the quan-
14 tity of land in the United States under cultivation;

15 (6) as of the date of enactment of this Act, only
16 1.5 percent of the population of the United States
17 provides food and fiber to partially supply the needs
18 of the United States;

19 (7)(A) agriculture, fundamental agricultural re-
20 search, and fundamental sciences play a major role
21 in maintaining the health and welfare of all people
22 of the United States and maintaining the land and
23 water of the United States; and

24 (B) that role must be expanded;

1 (8) research that leads to understandings of the
2 ways in which cells and organisms function is critical
3 to continued innovation in agriculture in the United
4 States;

5 (9) future innovations developed as a result of
6 those understandings are dependent on fundamental
7 scientific research and would be enhanced by ideas
8 and technologies from other fields of science and re-
9 search;

10 (10) opportunities to advance fundamental
11 knowledge of benefit to agriculture in the United
12 States have never been greater;

13 (11) many of those new opportunities are the
14 result of amazing progress in the life sciences during
15 recent decades, attributable in large part to the pro-
16 vision made by the Federal Government through the
17 National Institutes of Health and the National
18 Science Foundation;

19 (12) new technologies and new concepts have
20 expedited advances in the fields of genetics, cell and
21 molecular biology, and proteomics;

22 (13) much of that scientific knowledge is ready
23 to be used in agriculture and food sciences through
24 a sustained, disciplined research effort at an insti-
25 tute dedicated to conducting that research;

1 (14) publicly-sponsored research is essential to
2 continued agricultural innovation—

3 (A) to mitigate or harmonize the long-term
4 effects of agriculture on the environment;

5 (B) to enhance the long-term sustainability
6 of agriculture; and

7 (C) to improve the public health and wel-
8 fare;

9 (15) competitive, peer-reviewed fundamental ag-
10 ricultural research is best suited to promoting the
11 research from which breakthrough innovations that
12 agriculture and society require will come;

13 (16) it is in the national interest to dedicate ad-
14 ditional funds on a long-term, ongoing basis to an
15 institute dedicated to funding competitive, peer-re-
16 viewed grant programs that support and promote
17 the highest caliber of fundamental agricultural re-
18 search;

19 (17) the capability of the United States to be
20 internationally competitive in agriculture is threat-
21 ened by inadequate investment in research;

22 (18) to be successful over the long term, grant-
23 receiving institutions must be adequately reimbursed
24 for costs of conducting agricultural research if the
25 institutions are to pursue that kind of research; and

1 (19) to meet those challenges, address those
2 needs, and to provide for vitally needed agricultural
3 innovation, it is in the national interest to provide
4 sufficient Federal funds over the long term to fund
5 a significant program of fundamental agricultural
6 research through an independent national institute.

7 (b) PURPOSE.—The purpose of this Act is to estab-
8 lish a national institute—

9 (1) to ensure that the technological superiority
10 of agriculture in the United States effectively serves
11 the people of the United States in the coming dec-
12 ades; and

13 (2) to support and promote fundamental agri-
14 cultural research of the highest caliber to achieve the
15 goals of—

16 (A) increasing the international competi-
17 tiveness of agriculture in the United States;

18 (B) developing foods that improve health
19 and combat obesity;

20 (C) creating new and more useful products
21 from plants and animals;

22 (D) improving food safety and food secu-
23 rity by protecting plants and animals in the
24 United States from insects, diseases, and the
25 threat of bioterrorism;

1 (E) enhancing agricultural sustainability;

2 (F) improving the environment;

3 (G) strengthening the economies of rural
4 communities in the United States;

5 (H) decreasing dependence of the United
6 States on foreign sources of petroleum by devel-
7 oping biobased fuels and materials from plants;

8 (I) strengthening national security by im-
9 proving the agricultural productivity of subsist-
10 ence farmers in developing countries to combat
11 hunger and the political instability that hunger
12 produces;

13 (J) assisting in modernizing and revital-
14 izing the agricultural research facilities of the
15 United States at institutions of higher edu-
16 cation, independent, nonprofit research institu-
17 tions, and consortia of those institutions,
18 through capital investment; and

19 (K) achieving such other goals, and meet-
20 ing such other needs, as the Secretary or the
21 Institute determines to be appropriate.

22 **SEC. 3. DEFINITIONS.**

23 In this Act:

1 (1) COUNCIL.—The term “Council” means the
2 Standing Council of Advisors established by section
3 4(d)(1).

4 (2) DEPARTMENT.—The term “Department”
5 means the Department of Agriculture.

6 (3) DIRECTOR.—The term “Director” means
7 the Director of the Institute.

8 (4) FUNDAMENTAL AGRICULTURAL RESEARCH;
9 FUNDAMENTAL SCIENCE.—The terms “fundamental
10 agricultural research” and “fundamental science”
11 mean research or science that, as determined by the
12 Secretary—

13 (A) advances the frontiers of knowledge so
14 as to lead to practical results or to further sci-
15 entific discovery; and

16 (B) has an effect on agriculture, food,
17 human health, or another purpose of this Act
18 as described in section 2(b).

19 (5) INSTITUTE.—The term “Institute” means
20 the National Institute of Food and Agriculture es-
21 tablished by section 4(a).

22 (6) MULTIDISCIPLINARY GRANT.—The term
23 “multidisciplinary grant” means a grant provided to
24 2 or more collaborating investigators to carry out co-
25 ordinated, multidisciplinary research programs in-

1 volving multiple disciplines that has been approved
2 by the Institute.

3 (7) PROJECT GRANT.—The term “project
4 grant” means a grant provided to 1 or more prin-
5 cipal investigators to conduct research that has been
6 approved by the Institute.

7 (8) SECRETARY.—The term “Secretary” means
8 the Secretary of Agriculture.

9 (9) STATE.—The term “State” means—

10 (A) each of the several States of the
11 United States;

12 (B) the District of Columbia;

13 (C) the Commonwealth of Puerto Rico;

14 (D) Guam;

15 (E) American Samoa;

16 (F) the Commonwealth of the Northern
17 Mariana Islands;

18 (G) the Federated States of Micronesia;

19 (H) the Republic of the Marshall Islands;

20 (I) the Republic of Palau; and

21 (J) the United States Virgin Islands.

22 (10) UNITED STATES.—The term “United
23 States”, when used in a geographical sense, means
24 all of the States.

1 **SEC. 4. ESTABLISHMENT; COMPOSITION.**

2 (a) ESTABLISHMENT.—There is established within
3 the Department an agency to be known as the “National
4 Institute of Food and Agriculture”.

5 (b) LOCATION.—The location of the Institute shall be
6 determined by the Secretary.

7 (c) COMPOSITION.—The Institute shall be composed
8 of the Council (including committees and offices estab-
9 lished under section 5) and the Director.

10 (d) STANDING COUNCIL OF ADVISORS.—

11 (1) ESTABLISHMENT.—There is established a
12 Standing Council of Advisors.

13 (2) COMPOSITION.—The Council shall be com-
14 posed of 25 members, including—

15 (A) the Director; and

16 (B) 24 members appointed by the Sec-
17 retary, with the concurrence of the Director, of
18 whom—

19 (i) 12 members shall be highly-quali-
20 fied scientists who, as determined by the
21 Secretary—

22 (I) are not employees of the Fed-
23 eral Government;

24 (II) have expertise in the fields of
25 agricultural research, science, or re-
26 lated appropriate fields;

1 (III) are appropriate for member-
 2 ship on the Council solely on the basis
 3 of established records of distinguished
 4 service; and

5 (IV) collectively represent the
 6 views of agricultural research and sci-
 7 entific leaders in all regions of the
 8 United States; and

9 (ii) 12 stakeholders shall be distin-
 10 guished members of the public, as deter-
 11 mined by the Secretary, including—

12 (I) representatives of agricultural
 13 organizations and industry; and

14 (II) individuals with expertise in
 15 the environment, subsistence agri-
 16 culture, energy, and human health
 17 and disease.

18 (3) TERM.—The members of the Council shall
 19 serve staggered, 4-year terms, as determined by the
 20 Secretary.

21 (4) MEETINGS.—The Council shall meet at the
 22 call of the Director and the Secretary, but not less
 23 often than annually.

24 (5) CHAIRPERSON AND VICE CHAIRPERSON.—
 25 The Council shall elect a Chairperson and Vice

1 Chairperson from among the members of the Coun-
2 cil.

3 (6) DUTIES.—The Council shall—

4 (A) assist the Director in—

5 (i) establishing research priorities of
6 the Institute; and

7 (ii) reviewing, judging, and maintain-
8 ing the relevance of the programs of the
9 Institute;

10 (B) review all proposals approved by the
11 scientific committees established under section
12 5(a)(1) to ensure, to the maximum extent prac-
13 ticable, that the purposes of this Act are being
14 met; and

15 (C) through the meetings described in
16 paragraph (4), provide an interface between sci-
17 entists and stakeholders to ensure, to the max-
18 imum extent practicable, that the Institute is
19 coordinating national goals with realistic sci-
20 entific opportunities.

21 (e) DIRECTOR.—

22 (1) IN GENERAL.—The Institute shall be head-
23 ed by a Director, who shall be an individual who
24 is—

25 (A) a distinguished scientist; and

1 (B) appointed by the President (after tak-
2 ing into consideration recommendations pro-
3 vided by the Council), by and with the advice
4 and consent of the Senate.

5 (2) TERM.—The Director shall serve for a sin-
6 gle, 6-year term.

7 (3) COMPENSATION.—The Director shall re-
8 ceive basic pay at the rate provided for level II of
9 the Executive Schedule under section 5513 of title
10 5, United States Code.

11 (4) SUPERVISION.—The Director shall report
12 directly to the Secretary.

13 (5) AUTHORITY AND RESPONSIBILITIES OF DI-
14 RECTOR.—

15 (A) IN GENERAL.—Except as otherwise
16 specifically provided in this Act, the Director
17 shall—

18 (i) exercise all of the authority pro-
19 vided to the Institute by this Act (includ-
20 ing any powers and functions delegated to
21 the Director by the Council);

22 (ii) in consultation with the Council,
23 formulate programs in accordance with
24 policies adopted by the Institute;

1 (iii) establish committees and offices
2 within the Institute in accordance with sec-
3 tion 5;

4 (iv) establish procedures for the peer
5 review of research funded by the Institute;

6 (v) establish procedures for the provi-
7 sion and administration of grants by the
8 Institute in accordance with this Act;

9 (vi) assess the personnel needs of ag-
10 ricultural research in the areas supported
11 by the Institute, and, if determined to be
12 appropriate by the Director or the Sec-
13 retary, for other areas of food and agricul-
14 tural research; and

15 (vii) cooperate with the Council to
16 plan programs that will help meet agricul-
17 tural personnel needs in the future, includ-
18 ing portable fellowship and training pro-
19 grams in fundamental agricultural re-
20 search and fundamental science.

21 (B) FINALITY OF ACTIONS.—An action
22 taken by the Director in accordance with this
23 Act (or in accordance with the terms of a dele-
24 gation of authority from the Council) shall be
25 final and binding upon the Institute.

1 (C) DELEGATION AND REDELEGATION OF
2 FUNCTIONS.—

3 (i) IN GENERAL.—Except as provided
4 in clauses (ii) and (iii), the Director may,
5 from time to time and as the Director con-
6 siderers to be appropriate, authorize the per-
7 formance by any other officer, agency, or
8 employee of the Institute of any of the
9 functions of the Director under this Act,
10 including functions delegated to the Direc-
11 tor by the Council.

12 (ii) POLICYMAKING FUNCTIONS.—The
13 Director may not redelegate policymaking
14 functions delegated to the Director by the
15 Council.

16 (iii) CONTRACTS, GRANTS, AND
17 OTHER ARRANGEMENTS.—The Director
18 may enter into contracts and other ar-
19 rangements, and provide grants, in accord-
20 ance with this Act—

21 (I) only with the prior approval
22 of the Council or under authority del-
23 egated by the Council; and

24 (II) subject to such conditions as
25 the Council may specify.

1 (iv) REPORTING.—The Director shall
 2 promptly report each contract or other ar-
 3 rangement entered into, each grant award-
 4 ed, and each other action of the Director
 5 taken, under clause (iii) to the Committee
 6 on Agriculture, Nutrition, and Forestry of
 7 the Senate and the Committee on Agri-
 8 culture of the House of Representatives.

9 (6) STATUS ON COUNCIL.—

10 (A) IN GENERAL.—The Director shall be
 11 an ex officio member of the Council.

12 (B) COMPENSATION AND TENURE.—Ex-
 13 cept with respect to compensation and tenure,
 14 the service of the Director on the Council shall
 15 be coordinated with the service of other mem-
 16 bers of the Council.

17 (C) VOTING; ELECTION.—The Director
 18 shall be—

19 (i) a voting member of the Council;

20 and

21 (ii) eligible for election by the Council
 22 as Chairperson or Vice Chairperson of the
 23 Council.

24 (7) STAFF.—

1 (A) IN GENERAL.—Subject to this para-
2 graph, the Director shall recruit and hire such
3 senior staff and other personnel as are nec-
4 essary to assist the Director in carrying out
5 this Act.

6 (B) SENIOR STAFF.—Each individual hired
7 as senior staff of the Director shall—

8 (i) be a highly accomplished scientist,
9 as determined by the Director;

10 (ii) be recruited from the active sci-
11 entific community; and

12 (iii) be appointed and serve on the
13 basis of 4-year, rotating appointments.

14 (C) TEMPORARY STAFF.—Staff hired by
15 the Director under this paragraph may include
16 scientists and other technical and professional
17 personnel hired for limited terms, or on tem-
18 porary bases, including individuals on leave of
19 absence from academic, industrial, or research
20 institutions to work for the Institute.

21 (D) COMPENSATION.—

22 (i) IN GENERAL.—Except as provided
23 in clause (ii), subject to such policies as
24 the Council shall periodically prescribe, the
25 Director may fix the compensation of staff

1 hired under this paragraph without regard
 2 to the provisions of chapter 51 and sub-
 3 chapter III of chapter 53 of title 5, United
 4 States Code, relating to classification of
 5 positions and General Schedule pay rates.

6 (ii) MAXIMUM RATE OF PAY.—The
 7 rate of pay for an individual hired under
 8 this paragraph shall not exceed the rate
 9 payable for level V of the Executive Sched-
 10 ule under section 5316 of title 5, United
 11 States Code.

12 (8) REPORTING AND CONSULTATION.—The Di-
 13 rector shall—

14 (A) periodically report to the Secretary
 15 with respect to activities carried out by the In-
 16 stitute; and

17 (B) consult regularly with the Secretary to
 18 ensure, to the maximum extent practicable,
 19 that—

20 (i) research of the Institute is relevant
 21 to agriculture in the United States and
 22 otherwise serves the national interest; and

23 (ii) the research of the Institute sup-
 24 plements and enhances, and does not re-
 25 place, research conducted or funded by—

- 1 (I) other agencies of the Depart-
 2 ment;
 3 (II) the National Science Foun-
 4 dation; or
 5 (III) the National Institutes of
 6 Health.

7 **SEC. 5. COMMITTEES AND OFFICES OF INSTITUTE.**

8 (a) **STANDING SCIENTIFIC COMMITTEES.—**

9 (1) **IN GENERAL.**—The Director may establish
 10 such number of standing scientific committees with-
 11 in the Institute as the Director determines to be ap-
 12 propriate.

13 (2) **COMPOSITION.**—A standing scientific com-
 14 mittee established under paragraph (1) shall consist
 15 of such members of the Council appointed under sec-
 16 tion 4(d)(2)(B)(i) as the Director may select.

17 (3) **TERM.**—Members of a standing scientific
 18 committee established under paragraph (1) shall
 19 serve for staggered, 4-year terms, as determined by
 20 the Director.

21 (4) **REVIEW OF PROPOSALS.—**

22 (A) **IN GENERAL.**—A standing scientific
 23 committee shall apply rigorous merit review to
 24 research proposals received by the Institute to
 25 ensure, to the maximum extent practicable, that

research funded by the Institute is scientifically of high quality.

(B) DETERMINATION OF SCIENTIFIC MERIT.—A research proposal received by the Institute and reviewed by a standing scientific committee under subparagraph (A) shall be—

(i) assigned a score based on the scientific merit of the proposal, as determined by the standing scientific committee; and

(ii) if approved by the standing scientific committee, forwarded, along with the score, to the Council for final review.

(C) DECLINATION OF PROPOSALS.—If the Council determines that a research proposal forwarded under this paragraph does not meet standards of scientific review established by a standing scientific committee or any similar standard established by the Director, the Council shall decline to recommend the research proposal for funding by the Institute.

(5) AD HOC REVIEW MEMBERS.—The Director may supplement a standing scientific committee under this subsection with 1 or more ad hoc reviewers in a case in which a research proposal received by the Institute requires specialized knowledge not

1 represented on that or any other standing scientific
2 committee.

3 (b) OFFICES.—

4 (1) OFFICE OF ADVANCED SCIENCE AND APPLI-
5 CATION.—

6 (A) ESTABLISHMENT.—The Director shall
7 establish within the Institute an Office of Ad-
8 vanced Science and Application (referred to in
9 this paragraph as the “Office”).

10 (B) DUTIES.—The Office shall—

11 (i) closely monitor national needs and
12 advances in research with the goal of iden-
13 tifying pressing problems for which solu-
14 tions are realistically achievable through
15 research;

16 (ii) coordinate creative talent from di-
17 verse disciplines to bridge potential gaps
18 between fundamental agricultural research
19 and high-priority, practical needs; and

20 (iii) recommend to the Director ways
21 in which existing fundamental agricultural
22 research may be applied to the most ur-
23 gent problems addressed by the Institute.

24 (C) STAFF.—

1 (i) IN GENERAL.—The Office shall
 2 employ a small, focused staff of rotating
 3 experts in science and agriculture.

4 (ii) TALENT POOL; TERM.—Primary
 5 staff of the Office—

6 (I) shall be appointed from the
 7 ranks of active scientists; and

8 (II) shall serve terms of not to
 9 exceed 3 years.

10 (D) INTENSIVE STUDY GROUPS.—The Of-
 11 fice shall—

12 (i) focus primarily on the most urgent
 13 problems addressed by the Institute; and

14 (ii) assemble such intensive study
 15 groups as are necessary to address those
 16 problems.

17 (E) REPORTS.—The Office shall submit to
 18 the Director and the Council periodic reports
 19 that—

20 (i) describe the activities being carried
 21 out by the Office; and

22 (ii) recommended new research prior-
 23 ities for the Office, as appropriate.

24 (2) OFFICE OF SCIENTIFIC ASSESSMENT AND
 25 LIAISON.—

1 (A) ESTABLISHMENT.—The Director shall
2 establish within the Institute an Office of Sci-
3 entific Assessment and Liaison (referred to in
4 this paragraph as the “Office”).

5 (B) DUTIES.—The Office shall—

6 (i) monitor the effectiveness of the sci-
7 entific expenditures by the Institute;

8 (ii) oversee the coordination of re-
9 search efforts of the Institute with those of
10 other programs;

11 (iii) assess the effectiveness of pro-
12 grams of the Institute by evaluating—

13 (I) the quality of the science
14 funded by the Institute, using such
15 tools as are readily available; and

16 (II) the contributions of the In-
17 stitute to the national research effort,
18 including ways in which the Institute
19 collaborates and cooperates with the
20 Department and with other Federal
21 agencies; and

22 (iv) encourage cooperative approaches
23 among various research agencies within the
24 Federal Government.

25 (3) OFFICE OF SCIENTIFIC PERSONNEL.—

1 (A) ESTABLISHMENT.—The Director shall
2 establish within the Institute an Office of Sci-
3 entific Personnel (referred to in this paragraph
4 as the “Office”).

5 (B) DUTIES.—The Office shall—

6 (i) cooperate with scientific and agri-
7 cultural experts to assess—

8 (I) the number of scientists in
9 agriculture and related fields in the
10 United States; and

11 (II) how many additional sci-
12 entists in agriculture and related
13 fields are needed to meet the purposes
14 of this Act; and

15 (ii) generate and maintain data that
16 may assist the Director and the Council in
17 planning appropriate Institute fellowship
18 and training programs.

19 (4) ADDITIONAL OFFICES.—The Director may
20 establish such additional offices within the Institute
21 as the Director or the Council determines to be nec-
22 essary to carry out the duties of the Institute under
23 this Act.

1 **SEC. 6. DUTIES.**

2 (a) IN GENERAL.—The Institute shall provide com-
3 petitive, peer-reviewed grants in accordance with section
4 8(b) to support and promote the highest quality of funda-
5 mental agricultural research, including grants to fund re-
6 search proposals submitted by—

7 (1) individual scientists;

8 (2) research centers composed of a single insti-
9 tution or multiple institutions; and

10 (3) other individuals and entities from the pri-
11 vate and public sectors, including researchers of the
12 Department and other Federal agencies.

13 (b) REPORT TO CONGRESS.—Not later than Decem-
14 ber 31, 2007, and biennially thereafter, the Institute shall
15 submit to the Secretary, the Committee on Agriculture,
16 Nutrition, and Forestry of the Senate, and the Committee
17 on Agriculture of the House of Representatives a com-
18 prehensive report that describes the research funded and
19 other activities carried out by the Institute during the pe-
20 riod covered by the report.

21 **SEC. 7. POWERS.**

22 (a) IN GENERAL.—The Institute shall have such au-
23 thority as is necessary to carry out this Act, including the
24 authority—

1 (1) to promulgate such regulations as the Insti-
2 tute considers to be necessary for governance of op-
3 erations, organization, and personnel;

4 (2) to make such expenditures as are necessary
5 to carry out this Act;

6 (3) to enter into contracts or other arrange-
7 ments, or modifications of contracts or other ar-
8 rangements—

9 (A) to provide for the conduct, by organi-
10 zations or individuals in the United States (in-
11 cluding other agencies of the Department, Fed-
12 eral agencies, and agencies of foreign coun-
13 tries), of such fundamental agricultural re-
14 search, research relating to fundamental
15 science, or related activities as the Institute
16 considers to be necessary to carry out this Act;
17 and

18 (B) at the request of the Secretary, for the
19 conduct of such specific fundamental agricul-
20 tural research as is in the national interest or
21 is otherwise of critical importance, as deter-
22 mined by the Secretary, with the concurrence of
23 the Institute;

24 (4) to make advance, progress, and other pay-
25 ments relating to research and scientific activities

1 without regard to subsections (a) and (b) of section
2 3324 of title 31, United States Code;

3 (5) to acquire by purchase, lease, loan, gift, or
4 condemnation, and to hold and dispose of by grant,
5 sale, lease, or loan, real and personal property of all
6 kinds necessary for, or resulting from, the exercise
7 of authority under this Act;

8 (6) to receive and use donated funds, if the
9 funds are donated without restriction other than
10 that the funds be used in furtherance of 1 or more
11 of the purposes of the Institute;

12 (7) to publish or arrange for the publication of
13 research and scientific information to further the
14 full dissemination of information of scientific value
15 consistent with the national interest, without regard
16 to section 501 of title 44, United States Code;

17 (8)(A) to accept and use the services of vol-
18 untary and uncompensated personnel; and

19 (B) to provide such transportation and subsist-
20 ence as are authorized by section 5703 of title 5,
21 United States Code, for individuals serving without
22 compensation;

23 (9) to prescribe, with the approval of the Comp-
24 troller General of the United States, the extent to
25 which vouchers for funds expended under contracts

1 for scientific or engineering research shall be subject
2 to itemization or substantiation prior to payment,
3 without regard to the limitations of other laws relat-
4 ing to the expenditure and accounting of public
5 funds;

6 (10) to arrange with and reimburse the Sec-
7 retary, and the heads of other Federal agencies, for
8 the performance of any activity that the Institute is
9 authorized to conduct; and

10 (11) to enter into contracts, at the request of
11 the Secretary, for the carrying out of such specific
12 agricultural research as is in the national interest or
13 otherwise of critical importance, as determined by
14 the Secretary, with the consent of the Institute.

15 (b) TRANSFER OF RESEARCH FUNDS OF OTHER DE-
16 PARTMENTS OR AGENCIES.—Funds available to the Sec-
17 retary, or any other department or agency of the Federal
18 Government, for agricultural or scientific research shall
19 be—

20 (1) available for transfer, with the approval of
21 the Secretary or the head of the other appropriate
22 department or agency involved, in whole or in part,
23 to the Institute for use in providing grants in ac-
24 cordance with the purposes for which the funds were
25 made available; and

1 (2) if so transferred, expendable by the Insti-
2 tute for those purposes.

3 (c) RESTRICTION ON ACTIVITIES.—The Institute—

4 (1) shall be a grant-making entity only; and

5 (2) shall not—

6 (A) conduct fundamental agricultural re-
7 search or research relating to fundamental
8 science; or

9 (B) operate any laboratory or pilot facility.

10 **SEC. 8. BUDGET CONSIDERATIONS.**

11 (a) BUDGETARY MANAGEMENT GOALS.—The Direc-
12 tor, in coordination with the Secretary, shall manage the
13 budget of the Institute to achieve the goals of—

14 (1) providing sufficient funds over a period of
15 time to achieve the purposes of this Act;

16 (2) fostering outstanding scientific talent, and
17 directing that talent toward work on issues relating
18 to agriculture; and

19 (3) adequately reimbursing grant-receiving in-
20 stitutions for costs to encourage the pursuit of agri-
21 culturally-related research.

22 (b) BUDGETARY GUIDELINES FOR GRANTS.—

23 (1) IN GENERAL.—To achieve the goals de-
24 scribed in subsection (a), the Institute shall, to the
25 maximum extent practicable, ensure that grants

1 awarded for each fiscal year comply with the guide-
2 lines described in paragraphs (2) and (3).

3 (2) PROJECT GRANTS.—With respect to project
4 grants, to the maximum extent practicable—

5 (A) the Institute shall award approxi-
6 mately 1,000 new project grants annually;

7 (B) the average project grant amount, in-
8 cluding overhead, shall be approximately
9 \$225,000 for each fiscal year, as adjusted in ac-
10 cordance with the Consumer Price Index for all-
11 urban consumers, United States city average,
12 as published by the Bureau of Labor Statistics;

13 (C) a project grant shall be provided for a
14 maximum period of 5 years, with an average
15 award duration of 3.5 years;

16 (D) the Institute shall require the recipi-
17 ents of a project grant to submit appropriate
18 reports on research carried out using funds
19 from the project grant; and

20 (E) the Institute shall provide such num-
21 ber of training project grants as the Director or
22 the Institute determines to be appropriate.

23 (3) MULTIDISCIPLINARY GRANTS.—With re-
24 spect to multidisciplinary grants, to the maximum
25 extent practicable—

1 (A) for each of fiscal years 2007 through
2 2010, the Institute shall provide 10 multidisci-
3 plinary grants;

4 (B) for fiscal year 2011 and subsequent
5 fiscal years, the Institute shall provide multi-
6 disciplinary grants to fund not fewer than 40
7 research centers, on the conditions that—

8 (i) sufficient funds are available; and

9 (ii) a sufficient number of qualified
10 research proposals are received;

11 (C) the research centers provided multi-
12 disciplinary grants may be composed of a single
13 institution or multiple institutions;

14 (D) the average multidisciplinary grant
15 amount, including overhead, shall be approxi-
16 mately \$3,000,000 for each fiscal year, as ad-
17 justed in accordance with the Consumer Price
18 Index for all-urban consumers, United States
19 city average, as published by the Bureau of
20 Labor Statistics;

21 (E) a multidisciplinary grant shall be pro-
22 vided for a maximum period of 5 years;

23 (F) in the aggregate, multidisciplinary
24 grants provided under this paragraph for a fis-
25 cal year shall represent approximately 15 per-

cent of the total grants provided by the Institute for the fiscal year, on the condition that a sufficient number of qualified research proposals are received for the fiscal year; and

(G) merit review of the research proposal relating to the multidisciplinary grant is conducted to ensure, to the maximum extent practicable, that only quality research proposals are funded.

(c) INDIRECT COSTS.—As part of a project grant or multidisciplinary grant provided under this Act, the Institute shall pay indirect costs of conducting research, including the costs of overhead, to the recipient of the grant at a rate that is not less than any standard negotiated rate applicable to similar grants made by the National Institutes of Health or the National Science Foundation, as of the date of enactment of this Act, as determined by the Secretary.

SEC. 9. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act—

(1) for fiscal year 2007, \$245,000,000 for project grants, of which not more than \$20,000,000 shall be made available for administrative expenses incurred by the Institute;

1 (2) for fiscal year 2008, \$515,000,000, of
2 which—

3 (A) not less than \$450,000,000 shall be
4 made available for project grants;

5 (B) not less than \$30,000,000 shall be
6 made available for multidisciplinary grants; and

7 (C) not more than \$35,000,000 shall be
8 available for administrative expenses incurred
9 by the Institute;

10 (3) for fiscal year 2009, \$780,000,000, of
11 which—

12 (A) not less than \$675,000,000 shall be
13 made available for project grants;

14 (B) not less than \$60,000,000 shall be
15 made available for multidisciplinary grants; and

16 (C) not more than \$45,000,000 shall be
17 made available for administrative expenses in-
18 curred by the Institute;

19 (4) for fiscal year 2010, \$935,000,000, of
20 which—

21 (A) not less than \$800,000,000 shall be
22 made available for project grants;

23 (B) not less than \$90,000,000 shall be
24 made available for multidisciplinary grants; and

1 (C) not more than \$45,000,000 shall be
2 made available for administrative expenses in-
3 curred by the Institute; and

4 (5) for fiscal year 2011 and each fiscal year
5 thereafter, \$966,000,000, of which—

6 (A) not less than \$800,000,000 shall be
7 made available for project grants;

8 (B) not less than \$120,000,000 shall be
9 made available for multidisciplinary grants; and

10 (C) not more than \$46,000,000 shall be
11 made available for administrative expenses in-
12 curred by the Institute.

13 (b) LIMITATION.—For fiscal year 2011 and each sub-
14 sequent fiscal year, administrative expenses paid by the
15 Institute shall not exceed 5 percent of the total expendi-
16 tures of the Institute for the fiscal year.

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